

APPROVED

**STATE ADVISORY COUNCIL ON THE EDUCATION OF CHILDREN WITH
DISABILITIES**

**January 6, 2006
Hamilton-Boone-Madison
Carmel, IN**

ADVISORY COUNCIL MEMBERS PRESENT:

Gary Bates, Mary Ramos, Bret Lewis, Ruth Alewine (for Stephanie Beasley), John Nally, Craig Bell, Steve Tilden, Kathy Mears, Bessie Henson, Marti Farris, Dawn Downer, Cathlene Hardy-Hansen, Karol Farrell, David Schmidt, Cheryl Shearer, Christina Endres, Jane Swiss, and Julie Swaim.

DEPARTMENT OF EDUCATION STAFF PRESENT:

Paul Ash, Nina Brahm, Jennifer Campbell, Alexandra Curlin, Bob Marra, Becky Reynolds, Sharon Cochran, Sharon Knoth, Shanida Sharp, Phyllis Lewis

OTHERS PRESENT:

Gary Collings, Kate Clark, Susan Lockwood (attended with John Nally) Gail Foy (IPIN), Julie Burk (IPIN)

INTERPRETERS:

Julie Armstrong and Robin Reed

MEETING

Bob Marra began the meeting at 9:53 a.m. The minutes from the November 4, 2005, were approved as a correct document.

Introduction of new Board Members

Ruth Alewine was introduced as a representative for the Department of Family and Children, in the absence of Stephanie Beasley, the newest member of the council.

Charter Schools

Charter Schools were discussed and handouts provided. There is an overall growth in the whole cooperative of 214 students with disabilities. Currently there are 741 students with disabilities. Bob Marra wanted to point out that when reviewing the multiply handicapped, the first column, he has doubt that there are truly multiply handicapped students, knowing the programs that they have. This is not just a problem with charter schools. It is also a problem with public schools. There are three of them, for example, New Community in Gary counted one each for multiply handicapped. Since the funding formula changed some people go ahead and count the child with a learning disability and say an emotional handicap as multiply handicapped. That is not a multiple handicapped child, those are co existing conditions. So there is doubt that they are serving three children that are significantly involved. Bob Marra will check into this information further. The rest of the numbers do show an overall compliment. The majority of the students enrolled in the charter schools represent the higher incidence disability areas.

Steve Tilden asked if there is a way to compare the numbers with charter schools to public schools. The overall incident rate for public schools the charter schools end up with a 10% where as public is at 17%. If you break it down some schools are higher, some are low, but most are higher.

Cheryl Hardy inquired of Bob Marra's concerns that the numbers in multiply handicapped are not accurate. Bob indicated that he would go back and review the information. What does qualify as multiply handicapped? Bob explained that a physical with a cognitive disability maybe with blindness and hearing impaired is the multiply handicapped. An LD child with a communication disorder is not considered multiply handicapped. Some of the districts were counting the student to the teacher just because they were multiply licensed and probably not really showing they were doing different services for the child. You can count a child with LD or other disability and communication disorders.

Home Schools

Kate Clark, the home school liaison from DOE addressed the council with regard to home schooling. Mrs. Clark provided the council with a packet of information describing home school services in Indiana.

In 10 years, home schooling in Indiana has jumped 400%. In the current school year there are 23,455 families enrolled in home schooling. The numbers in the chart (by county) are actual numbers of students. Special education students are not counted by the department. There has never been a rule to ask for that information.

The three laws governing home school in Indiana are as follows:

1. The child has to attend 180 days of the home school. That can be 180 days like a school corporation or if they want to go year round. A frequent question asked is how long does a child need to be in a home school as far as hours? It is completely up to a parent as to how many hours the child attends, but we recommend following a timeline as a school.
2. Attendance Records. There is no specific form on how the parents maintain attendance records but it is recommended that they write down what day they taught the child, how long they taught and what was taught. If child protective service (CPS) ever visit the home to see if they are home schooling the child then attendance records, sometimes completed work and curriculum. They can be asked regardless if they are enrolled with IDOE or not. The department cannot go out to visit a home school because public education cannot supervise non-public education.
3. Instruction has to be equivalent to that given in the public school. State law does not define equivalency of instruction for public or private school.

Dr. Reed encourages families who are home schooling to enroll with the home school division or report their grade enrollment, but it is not mandated. I receive about 85 calls a day and approximately 100 to 120 e-mails a day inquiring about home school.

There is an on-line home school enrollment form that can be completed and submitted electronically. According to Indiana Code the child's name is not required. It is only required to have the grade level and enrollment. Once they are registered they receive a home school name and number for reporting purposes. For example 95-5385-YX77, the middle number is always the school corporation number and the first two numbers are your county numbers. These numbers are usually mailed out or electronically sent.

Home school students do not receive a high school diploma from the local school corporation (the LEA) nor do they get one from DOE. They can opt to take the GED and obtain that or use an accredited program and get the diploma from that program (accredited through the North Central Association of accreditation of programs and schools). The parent also has the option of producing and issuing their own diploma, but it is up to the college or employer as to whether they will accept a home school diploma. There are home school organizations and support groups available to families (that are actually located here in Indiana and convene conferences and provide an annual state-wide graduation ceremony).

A student with special needs who is home-schooled is eligible for some special education services through public school. The child must still have an IEP and the providing LEA would need to comply with the requirements in Article 7.

If a student has been home-schooled and then seeks to re-enroll in the public school setting, the LEA does not have to accept home-issued credits. Most LEAs will test the student to determine a grade placement at which to start a newly re-enrolled student. A school cannot deny a child the right to enroll in the public school and some students are actually dually enrolled. The parent and the LEA must come to an agreement as to the number of hours the student will attend, the course(s) to take, etc. The home schooled student cannot participate in ISTEP unless they are also enrolled in a public school a minimum number of hours per day. There is no funding provided to home schools. If the parent or child wishes to be tested for SAT etc. the burden lies with the parent. As for sports and extracurricular activities, she recommends that families consult with the IHSAA to determine requirements (at a minimum, the student would have to be dually enrolled).

C. Hardy-Hansen asked about a student with special needs who needs to be transported to the LEA for services: who pays for that transportation? K. Farrell indicated that they treat the student as they would a non-public school student and the parent brings the child to the school for services (and is reimbursed for mileage). P. Ash indicated that students who are enrolled in the LEA are entitled to a free appropriate public education (FAPE) but once they become a home-schooled student they are treated as non-public school students where the amount of service is largely determined by the school. The Federal Government looks at a proportionate share of services whereas Indiana goes above that requirement. Issues such as this will need to be discussed by the state advisory council as the revision of Article 7 moves forward (specifically when the council gets to Rule 19). Transition is another area of Article 7 that will need to be considered when the revision moves forward.

Dawn Downer about Indiana's regulatory language on home schooling compared to other states? If you go to the home school legal defense association's website you can actually look at the various states and see what type of regulations each enforce. Indiana is probably right in the middle comparatively speaking.

Cheryl Shearer asked that DOE look into a means of collecting information on how many home-schooled students have a disability. Karol Farrell cautioned that the parents' perception of whether the child has a disability does not mean the child is actually a child with a disability under state and federal definitions. It would be nice to know how many students with exceptional needs are home-schooled and what categorical areas they are eligible under.

Ms. Clark concluded her presentation

Article 7

David Schmidt stated that the final federal regulations still have not been released but the council will still move ahead with the revision discussions. The process in which the revisions to be made were discussed.

Bob introduced Sharon Knoth. Bob then went on to explain the procedures and what DEL staff functions would be as far as notes and minutes.

Nina Brahm led discussion to review the rules for review of Article 7. Nina advised that the new Indiana Codes are in the draft. A conversion table for the former provision to current can be found on the DEL web site.

Ms. Brahm led discussion of the draft rules for the meeting.

Rules 511 IAC 18 and 20-22 were reviewed and discussed.

Rule 19 was omitted at this time to be reviewed at another date.

Discussion

Jane Swiss indicated that it is helpful that we refer to the way things were done the last time revisions were made. Archives will be reviewed to see how revisions were done in the past.

Julie Swaim mentioned the Autism issue that was mentioned in the paper and asked where IDOE stands. Bob said he will be meeting with Representative Robert Behning in the near future to discuss this and will get back with the council for comment. Council discussion followed with issues of: why is the legislature looking at just one disability; what is the rational for creating school for students with autism; and whether appropriate services can be provided with the budget proposed, being raised.

The school funding issue proposal 65% rule was also discussed. Dawn Downer referred to the efficiency report and Bob Marra commented on a study that he did about a year ago. Numbers will far exceed the 65% rule proposal in special education and the department will have information on this survey at the end of January.

House keeping issues were briefly discussed.

Meeting ended at 3:30 pm.